



GARY E. JOHNSON
Governor

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P. O. Drawer 26110
Santa Fe, New Mexico 87502-0110



PETE MAGGIORE
Secretary

DATE JUN 16 1999

CERTIFIED MAIL NO. Z 434 831 314
RETURN RECEIPT REQUESTED

Mr. Leland Maez
ESH- 17 Air Quality Group
Los Alamos National Laboratory
PO Box 1663 Mail Stop J978
Los Alamos, New Mexico 87545

Air Quality Permit No. 2195
150 TPH Portable Rock
Crushing Facility
AIRS No. 35-777-00789

Dear Mr. Maez:

Air Quality Permit No. 2195 is issued by the Air Quality Bureau of the New Mexico Environment Department (Department) to Los Alamos National Lab (LANL) pursuant to the Air Quality Control Act (Act) and regulations adopted pursuant to the Act, including Title 20, Now Mexico Administrative Code (NMAC) , Chapter 2, Part 72, (20 NMAC 2.72), Construction Permits Subpart II and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.

This permit authorizes LANL to operate 150 ton per hour (TPH) portable rock crusher source, which crushes, and stockpiles concrete and rock as part of LANL's facility restoration efforts. This crusher is authorized to be initially located within the boundaries of the LANL facility in Township 19 North, Range 6 East, Section 22 of Los Alamos County. The crusher, or portions of it, are not authorized to be relocated outside LANL facility boundaries without prior approval from the Department (see Condition 5, Plant Relocation Notice and Condition 6, Restriction on Relocation).

The Department has reviewed the permit application for the proposed construction. Based on the control measures described in the application and the conditions of this permit, the Department has determined that the provisions of the Act and ambient air quality standards will be met. Conditions have been imposed in this permit to assure continued compliance. 20 NMAC 2.72, Section 210.E, states that any term or condition imposed by the Department on a permit or permit revision is enforceable to the same extent as a regulation of the Environmental Improvement Board. Pursuant to 20 NMAC 2.72, the crusher is subject to the following conditions:

CONDITIONS

1. Construction and Operation

- a) This permit authorizes the construction and operation of the following equipment:

<u>Component</u>	<u>Mfg.</u>	<u>Models #</u>	<u>Process Rate (tph)</u>	<u>NSPS</u>
Impact Crusher	Torgerson	Model AX	150	<u>000</u>
Conveyors (2)	Fabtec	Fabtec Pro	150	NO
Diesel Generator	Detroit.	S40	200 HP	NO

This crusher is driven by a 200 HP Detroit Diesel generator. All equipment shall be maintained as per manufacturer specifications to ensure the emissions remain at or below the permitted levels.

- b) This crusher shall be constructed and, operated in accordance with - all representations in the permit application dated November 23, 1998 and received November 30, 1998, in accordance with the legal authority specified above and the conditions of this permit.

- c) No New Source Performance Standards (NSPS) apply to this crusher as long as the maximum process rate remains at or below 150 tons per hour.

No National Emissions Standard for Hazardous Air Pollutants (NESHAP) apply to this crusher. However, during any asbestos demolition or renovation work, CFR Title 40, Part 61 Subpart M would apply.

- d) Substitution of equipment is authorized provided the equipment has the same or lower process capacity as the piece of equipment being substituted. The Department shall be notified in writing within fifteen (15) days of equipment substitutions. Equipment that is substituted shall comply with the opacity requirements in Condition 2.

- e) The process rate shall not exceed 150 tons per hour.

- f) The crusher is restricted to operate 8 hours per day, 6 days per week, 4 weeks per month, and 12 months per year. The crusher may only operate during daylight hours.

- g) The crusher shall maintain at least a 150-meter (492 feet) boundary from the center of operations to the LANL facility boundary.

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- h) Changes in plans, specifications, and other representations proposed in the application documents shall not be made if they will increase the discharge of emissions or cause a change in the method of control of emissions or in the character of emissions. Any such proposed changes shall be submitted as a revision or modification to this permit. No revision or modification shall begin prior to issuance of a permit.
- i) The equipment listed in this permit is authorized to be divided into multiple operations under this one permit provided that;
 - a. the relocation notification requirements of Condition 5, Plant Relocation Notice, are followed,
 - b. the equipment remains limited to those pieces specified in Condition 1.a), and
 - c. all terms and conditions of this permit are adhered to at each location.

Conditions 1.a), 1.b), 1.e), and 1.f) have been placed in the permit in accordance with 20 NMAC 2.72, Section 210.A, which provides that the contents of the application specifically identified shall become terms and conditions of the permit.

Condition 1.c) has been placed in the permit in accordance with 20 NMAC 2.72, Section 210.B, which states that the Department shall, as appropriate, specify conditions upon a permit, including compliance with applicable NSPS and NESHAP.

Conditions 1.d) and 1.h) have been placed in the permit in accordance with 20 NMAC 2.72, Sections 200.A.2, 200.E, and 210.B.4, to enable the Department to review proposed changes to the facility which may constitute a permit modification or revision prior to such changes.

Condition 1.g) has been placed in the permit in accordance with 20 NMAC 2.72, Section 210.B.4, which allows for the imposition of reasonable restrictions and limitations other than restrictions and limitations relating to emission limits or emission rates.

Condition 1.i has been placed in the permit in accordance with 20 NMAC 2.72, Section 210.B.4

Compliance with Condition 1 will be based on Department inspections of the facility, compliance with the NSPS Subpart A - General Provisions, Department reviews of production records, submission of appropriate permit applications for modification and/or revision, and timely notification to the Department regarding equipment substitutions and relocations.

2. Emission Limits

a) Fugitive Particulate Emissions

The crushers, screens, conveyor belts, conveyor transfer points, and stockpiles shall be equipped and operated with water sprays, a dust collection and control system (i.e. cyclone, scrubber, baghouse), or other equally effective control measures to minimize fugitive emissions to the atmosphere.

Fugitive particulate emissions from transfer points, belt conveyors, screens, feed bins, and from stockpiles shall not exhibit greater than 10% opacity. Fugitive particulate emissions from the crusher shall not exhibit greater than 15% opacity.

Truck traffic areas and haul roads going in and out of the crusher site shall be watered, treated with a surface stabilizing agent, or paved with an appropriate surface as necessary to minimize dust emissions at the following locations:

1. When the crusher is located outside the LANL facility boundary.
2. When the crusher is located inside the LANL facility boundary and within 200 meters of the LANL facility boundary. All other areas within the LANL facility boundary do not require controls.

Sites of overburden removal and active pit areas shall be watered, dependent upon existing wind speeds and soil moisture content, as necessary to minimize dust emissions.

b) Nitrogen Dioxide Emissions

Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO₂.

The nitrogen dioxide emissions from the diesel generator shall not exceed 6.2 pounds per hour and shall not exceed 6.4 tons per year.

c) Carbon Monoxide Emissions

The carbon monoxide emissions from the diesel generator shall not exceed 1.3 pounds per hour and shall not exceed 1.4 tons per year.

d) Volatile Organic Compounds

The volatile-organic compounds emissions ' from the diesel generator shall not-exceed 0.5 pounds per hour and shall not exceed 0.5 tons per year.

e) Sulfur Dioxide Emissions

The sulfur dioxide emissions from the diesel generator shall not exceed 0.4 pounds per hour and shall not exceed 0.4 tons per year.

Condition 2.a) has been placed in the permit in accordance with the standard for particulate matter contained in 20 NMAC 2.77, and 20 NMAC 2.72, Sections 210.A, B.1.a, B.2, B.3, and B.4.

Condition 2.b), 2.c), 2.d) and 2.e) have been placed in the permit in accordance with 20 NMAC 2.72, Sections 210.A and 210.B. These were the emission rates applied for and evaluated, and are the basis of the Department's review.

Compliance with Condition 2 will be based on Department inspections of the facility and upon compliance with the emission limits and opacity readings conducted in accordance with the test methods specified in Condition 7 - Compliance Tests.

3. Recordkeeping

Daily records of the hours and days' of operation, the daily production rates, and the frequency of the application of water or equivalent control measures shall be maintained. This information shall be retained at the facility site for the most recent three (3) year period and shall be made available to Department personnel upon request.

Condition 3 has been placed in the permit in accordance with 20 NMAC 2.72, Sections 210.B.4 and 210.F, to allow the Department to determine compliance with the terms and conditions of the permit.

Compliance with Condition 3 will be based on Department inspection of records and logs.

4. Reporting

The permittee shall notify the, Enforcement Section, Air Quality Bureau in writing of:

- a) any equipment substitutions. within fifteen (15) days of such substitutions;

- b) the date the plant leaves New Mexico within fifteen (15) days of leaving the state;
- c) the crusher's proposed relocation outside of the LANL facility boundary by filing a relocation notice no sooner than fifteen (15) days from the date of the proposed relocation;
- d) the anticipated date of initial startup of the crusher not less than thirty (30) days prior to the date;
- e) the actual date of initial startup of the crusher within fifteen (15) days after the startup date;
- f) any necessary update or correction no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit.

The reports- and notifications shall contain the required information and shall be made in accordance with CFR Title 40, Part 60, Subpart A - General Provisions.

Condition 4 has been placed in the permit in accordance with 20 NMAC 2.72, Sections 210.B, 210.F, and 212, to allow the Department to determine compliance with the terms and conditions of the permit.

Compliance with Condition 4 will be-based on the timely submittal of the required reports.

5. Crusher Relocation Notice

The Department shall be notified in writing fifteen (15) days prior to any relocation of the crusher or portion of the crusher outside of the LANL facility boundary, using the Department's Relocation Notice form, and shall be accompanied by a detailed plot plan showing the leased/owned property, the area disturbed by the operations, including the mining area and haul roads, all other particulate emitting facilities within, one (1) mile of the crusher's proposed boundaries, and all occupied buildings within 1/4 mile of the crusher's proposed boundaries.

At the time of notification, the permittee shall also post notice of the relocation at the site in such a manner that the public has access to information concerning the proposed relocation. The operation of the crusher at a new location shall not commence until the Department has officially

approved the new location.

Condition 5 has been placed in the permit in accordance with 20 NMAC 2.72, Section 202.B. This regulation requires relocation protocols to ensure that the ambient air quality standards will continue to be met at the new location, to allow the Department to track the movements of the operation, and to ensure the continued compliance with the requirements of this permit. Compliance with Condition 5 will be based on timely notifications, and submission of all * information required in this permit condition.

6. Restriction on Relocation

The boundary of the crusher operations when located at LANL is defined as the LANL facility boundary. The property boundary of the crusher operations when located outside of the LANL facility boundary is defined as the perimeter of the area of operations inclusive of all disturbed lands, including mining and overburden removal areas, used for the job. Approval of relocation may be denied if the relocation outside of the LANL facility boundary falls within any of the following categories:

- (a) the crusher, as defined by its property boundary, is to be relocated within any city or town boundaries, and was not initially reviewed for these conditions;
- (b) the crusher, as defined- by its property boundary, is to be relocated within one-quarter (1/4) mile of a private residence, office building, a school or other occupied structure;
- (c) the crusher, as defined by its property boundary, is to be relocated within one (1) mile of another particulate-emitting facility;
- (d) the crusher is to be' relocated in an area where any Prevention of Significant Deterioration (PSD) increments, national ambient air quality standards (NAAQS), or New Mexico ambient air quality standards (NMAAQS) have been or will be exceeded,
- (e) the crusher is to be relocated within 5 km of a Class I area.

Distances are measured from the perimeter around the area of operations to the nearest property boundary. The Department will promptly notify the permittee if relocation is denied. The Department may require additional controls at some relocation sites to ensure compliance with ambient air quality

standards. When the crusher leaves New Mexico, the Department shall be notified. When the crusher intends to return to New Mexico, a relocation notice shall be filed with the Department.

Condition 6 has been placed in the permit in accordance with 20 NMAC 2.72, Sections 200.F, 202.B, and 210.B.4, because the crusher operations and the protocol for relocation were reviewed in terms of operation of the crusher on LANL property and in the absence of other crushing operations near the facility.

Compliance with Condition 6 will be based on Department inspections of the crushing operations and -the receipt of notification of relocation at least fifteen (15) days prior to relocation.

7. Compliance Tests

Initial compliance tests for particulate matter shall be conducted in accordance with EPA test Method 9 and 22 and the procedures for opacity in Appendix A of the CFR, Title 40, Part 60.11(b), unless otherwise approved by the Department. Compliance tests shall determine the opacity at each crusher, screen, hopper, and conveyor transfer point, including transfers to stockpiles.

The tests shall be conducted within sixty (60) days of initial startup of the crusher. Compliance tests may be reimposed if inspections of the crusher indicate non-compliance with permit conditions or the previous test showed non-compliance or was technically unsatisfactory. The owner or operator shall notify the Department at least thirty (30) days prior to the test date and allow a representative of the Department to be present at the test. The permittee shall arrange a pretest meeting with the Department at least thirty (30) days prior to the test date and shall observe the following pre-testing and testing procedures.:

- a) The permittee shall provide for the Department's approval a written test protocol at least one (1) week prior to the anticipated pre-test meeting date. The protocol shall describe the test methods to be used (including sampling locations), and shall describe data reduction procedures. Any variation from the established sampling and analytical procedures or from the crusher operating conditions shall be presented for Department approval.
- b) The test protocol and compliance test report shall conform to the standard format specified by the Department. The most current version of the format may be obtained from the Enforcement Section of the Air Quality Bureau.

- c) The tests shall be conducted at ninety (90%) percent of the plant capacity or 135 tons per hour to demonstrate compliance with the opacity limits or at limits agreed upon at the time of the pretest meeting by the Department and the permittee. Opacities at other production levels shall be determined at the Department's request.
- d) Two copies of the compliance test results shall be submitted to the Department within thirty (30) days after the completion of testing; one to the Permits Section and the other to the Enforcement Section. Operating parameters measured during the tests shall be listed in tabular form or as part of the summary page of the test report.

Condition 7 has been placed in the permit in accordance with CFR Title 40, Part 60, Subpart A General Provisions and 20 NMAC 2.72, Section 213.

Compliance with Condition 7 will be based on the satisfactory completion of the compliance tests, the timely submittal of * the test results to the Department, and on meeting the opacity limits specified in this permit.

8. Revisions and Modifications

Any future physical changes or changes in the method of operation may constitute a modification as defined by 20 NMAC 2.72 - Construction Permits. No modification shall begin prior to issuance of a permit.

Modifications or revisions to this permit shall be processed in accordance with 20 NMAC 2.72.

Condition 8 has been placed in the permit in accordance with 20 NMAC 2.72, Sections 200.A.2, 210.B.4, and 200.E, to enable the Department to review proposed changes to the crusher which may constitute a permit modification prior to such changes.

Compliance with Condition 8 will be based on Department inspections and the submittal of appropriate application f or permit modifications or revisions.

9. Right to Access Property and Review Records

The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. The company, upon request from an authorized representative of the Department, shall produce any records or information necessary to establish that the terms and conditions of this permit are being met.

The Department recognizes that the permittee operates under security restrictions imposed by the Atomic Energy Act (42 USC 2011 et seq.) and the regulations promulgated thereunder as well as other federal laws and regulations. The Department agrees that it will abide by those laws and regulations in seeking access to property and records. Nothing in this permit condition shall be construed to deny access authorized by the Air Quality Control Act.

Condition 9 has been Placed in the permit in accordance with 20 NMAC 2.72, Sections 210.B and 210.F, and 20 NMAC 2.73, to allow the Department -to determine compliance with the terms and conditions of the permit.

Compliance with Condition 9 will be based on Department inspections of the facility, production of records and information required to be maintained, and non-restricted entry to the property as defined in this condition.

10. Posting of the Permit

A copy of this permit shall be readily available in the offices of the Laboratory's D&D Group and a copy shall be kept at the offices of the Laboratory's Air Quality Group in Los Alamos, New Mexico. A copy of the permit shall be made available to Department personnel for inspection upon request.

Condition 10 has been placed in the permit in accordance with 20 NMAC 2.72, Section 210.B.4, to allow Department personnel to identify the equipment that constitutes the crusher and to identify the permit conditions that apply to this permitted unit.

Compliance with Condition 10 will be based on Department, inspections of the facility, which show that a copy of the permit has been posted.

11. Notification to Subsequent Owners

The permit and conditions apply in the event of any change in control or ownership of the facility. No permit modification is required in such case; however, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and the conditions. The permittee shall also notify the Department within fifteen (15) days of the change in control or ownership.

Condition 11 has been placed in the permit in accordance with 20 NMAC 2.72, Sections 107.M.1, 210.B.4, and 212.C, to ensure that new owners are aware of the permit and its conditions.

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Compliance with Condition 11 will be determined upon the permittee's notification of the permit and its conditions to any succeeding owner and notification of the change in ownership to the Department.

ADDITIONAL REQUIREMENTS

20 NMAC 2.72, Section 211 - Permit Cancellations, requires that:

1. the Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit.
2. the Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or, if during the construction or modification, work is suspended for a total of one (1) year.

20 NMAC 2.73 contains requirements related to Notice of Intent and Emission Inventory. Please refer to that regulation for details.

Compliance tests and application for permit revisions and modifications, and items listed under ADDITIONAL REQUIREMENTS shall be submitted to:

Program Manager, Permits Section
New Mexico Environment Department
Air Quality Bureau
2048 Galisteo
Santa Fe, New Mexico 87505

Compliance test protocols and results and relocation notices shall be submitted to:

Program Manager, Enforcement Section
New Mexico Environment Department
Air Quality Bureau
2048 Galisteo
Santa Fe, New Mexico 87505

Regularly scheduled reports (annual, semiannual, quarterly, or monthly) shall be submitted to:

Program Manager, Compliance Section
New Mexico Environment
Department Air Quality Bureau
2048 Galisteo
Santa Fe, New Mexico 87505

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REVOCATION

The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the application for the permit. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days. Appeals will be handled in accordance with the Department's Rules Governing Appeals From Compliance Orders.

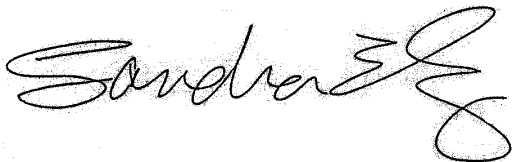
APPEAL PROCEDURES

20 NMAC 2.72, Section 207, provides that any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for hearing before the Environmental Improvement Board. The petition shall be made in writing to the Environmental Improvement Board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered and attach a copy of the permitting action for which review is sought. Unless a timely request for hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to:

Environmental Improvement Board
1190 St. Francis Drive, Runnels Bldg.
P.O. Box 26110
Santa Fe, New Mexico 87502

If you have any questions regarding this permit, please contact Andrew A. Frye in Santa Fe at (505) 827-1494, extension 1512.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Ely".

Sandra Ely
Acting Bureau Chief
Air Quality Bureau